Applicant : Douglas Beeferman
Serial No. : 09/840,851
Filed : April 24, 2001
Page : 13

Attorney's Docket No.: 10984-499001
Client's Ref.: 203

REMARKS

Claims 1 to 42 are pending in the application, of which claims 1, 15 and 29 are independent. Favorable reconsideration and further examination are respectfully requested.

In the Office Action, claims 1 to 42 were rejected under the first paragraph of 35 U.S.C. §112 for allegedly failing to comply with the written restriction requirement. In particular, the Office Action objects to the following claim limitation:

> a probability that words occur within a predetermined range of one another, the
> predetermined range including from zero additional words to a number of additional words
> located between the words in text.

As shown above, Applicant has changed the above limitation to the following:

> data indicative of whether words occur in text in series, adjacent, or within a number of
> additional words of each other.

This feature is clearly described, e.g., on page 6, from lines 4 to 9. Accordingly, withdrawal of the §112, first paragraph, rejection is respectfully requested.

Turning to the art rejections, claims 1, 9 to 13, 15, 23 to 27, 29, and 37 to 41 were rejected under 35 U.S.C. §103 over U.S. Patent No. 6,405,188 (Schwartz) in view of U.S. Patent No. 6,397,174 (Pozanski); claims 2 to 5, 16 to 19, and 30 to 33 were rejected under §103 over Schwartz and Pozanski in view of U.S. Patent No. 6,505,151 (Chou); claims 6, 20 and 34 were rejected under §103 over Schwartz and Pozanski in view of U.S. Patent No. 5,488,725 (Turtle); and claims 7, 8, 21, 22, 35 and 36 were rejected under §103 over

Schwartz, Pozanski and Turtle in view of U.S. Patent No. 6,128,613 (Wong). As shown above, Applicant has amended the claims to define the invention even more clearly. In view of these amendments, withdrawal of the art rejections is respectfully requested.

Amended independent claim 1 defines a computer-implemented method which includes establishing a database containing data indicative of whether words occur in text in series, adjacent, or within a number of additional words of each other. Establishing the database comprises searching documents for occurrences of the words in series, adjacent, or within a number of additional words of each other, searching the documents for occurrences of the words individually, and generating the data based on both searches of the documents. The method also includes receiving a phrase comprised of the words, retrieving the data for the words from the database in response to receiving the phrase, and determining, based on the data, whether to perform a text search for the phrase as a whole or for the words individually.

The applied art is not understood to disclose or to suggest the foregoing features of claim 1, particularly with respect to establishing a database by searching documents for occurrences of the words in series, adjacent, or within a number of additional words of each other, searching the documents for occurrences of the words individually, and generating the data based on both searches of the documents.

Schwartz describes a document searching system which uses a user-input query to retrieve documents, and which then obtains words common to retrieved documents to supplement the user-input query (see, e.g., column 4, lines 35 to 44 of Schwartz). As correctly noted on page 4 of the Office Action, however, Schwartz does not disclose or

suggest establishing a database, much less doing so by searching documents for occurrences of the words in series, adjacent, or within a number of additional words of each other, searching the documents for occurrences of the words individually, and generating data for the database based on both searches of the documents. Pozanski was cited to make up for this deficiency of Schwartz.

Pozanski describes a system for analyzing text and for converting the text to another language. In the Pozanski system, words sets ("collocations"), such as "pass out" and "make up", are analyzed using the criteria in columns 5 and 6 of Pozanski to determine whether such words should be considered, for definition, individually or together. These criteria include probabilities that the words should be considered individually versus together. It was said on page 5 of the Office Action that it would have been obvious to incorporate Pozanski's use of probabilities in the Schwartz system "in order to allow users to search/retrieve phrases or idioms in any sense correctly" (page 5 of the Office Action). Applicants, however, submit that even if Pozanski were combined with Schwartz in the manner suggested in the Office Action, the resulting hypothetical combination would still fail to disclose or to suggest the foregoing features of claim 1.

More specifically, the probabilities mentioned in Pozanski are assigned to elements of a sentence and are derived from a morphological analysis of a sentence (see, e.g., column 6 of Pozanski). There is nothing in Pozanski that relates to performing searches of documents for occurrences of words in series, adjacent, or within a number of additional words, and also to performing a search for the words individually. The Schwartz system describes performing supplemental searches of documents; however, there is nothing in

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Schwartz that relates to performing searches of documents for occurrences of words in series, adjacent, or within a number of additional words, and also to performing a search for the words individually. Thus, Applicants submit that even if Schwartz were combined with Pozanski, the resulting hypothetical combination would not render claim 1 obvious.

Chou, which was cited against several dependent claims, describes a phrase detection system that tests n-word combinations to determine if those n-word combinations constitute phrases (see, e.g., columns 7 and 8 of Chou). Chou describes identifying occurrences of words individually and followed by other words. It does not, however, disclose or suggest establishing a database by searching documents for occurrences of the words in series, adjacent, or within a number of additional words of each other, searching the documents for occurrences of the words individually, and generating the data based on both searches of the documents.

For at least the foregoing reasons, claim 1 is believed to be patentable.

Amended independent claims 15 and 29 are computer program and apparatus claims, respectively, that roughly correspond to claim 1. These claims are also believed to be allowable for at least the same reasons noted above.

The remaining art of record has been reviewed and is not understood to disclose or to suggest anything that would remedy the foregoing deficiencies of Schwartz and Chou against the claims. Accordingly, the entire application is now believed to be in condition for allowance, and such action is respectfully requested at the Examiner's earliest convenience.

Applicant's attorney can be reached at the address shown below. Telephone calls

regarding this application should be directed to 617-521-7896.

Please apply any fees associated with this Amendment, which have not already

been covered by check, to Deposit Account 06-1050.

Respectfully submitted,

Date: June 4, 2004
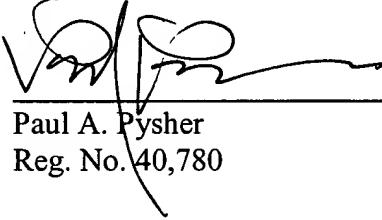
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